

Message Text

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PAGE 01 ROME 09901 191904Z

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ACTION L-03

INFO OCT-01 EUR-25 ISO-00 AF-10 ARA-16 EA-11 NEA-10 RSC-01

OIC-04 IO-13 CIAE-00 DODE-00 NSAE-00 NSCE-00 SSO-00

USIE-00 PM-07 H-03 INR-10 NSC-10 PA-03 PRS-01 SPC-03

SS-15 ACDA-19 CAB-09 COME-00 EB-11 FAA-00 INRE-00

DRC-01 DOTE-00 /186 W

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O R 191545Z SEPT 73

FM AMEMBASSY ROME

TO SECSTATE WASHDC IMMEDIATE 0871

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

AMCONSUL MONTREAL

USUN NEW YORK 1733

UNCLAS ROME 9901

E.O. 11652: N/A

TAGS: ICAO, ETRN

SUBJ: ICARO AIR SECURITY CONFERENCE: PROPOSED GREEK PROTOCOL

MONTREAL FOR US REP ICAO

PLS PASS TO: LITTELL/CAB; DRISCOLL/DOT; STEWART/FAA

1. FOLLOWING IS TEXT OF PROTOCOL TO MONTREAL CONVENTION
PROPOSED BY GREECE WHICH WILL BE CONSIDERED BY CONFERENCE COMMI-
SSION OF WHOLE SEPT 19:

BEGIN TEXT QTE

TEXT PREPARED BY THE DRAFTING COMMITTEE

SUPPLEMENTARY PROTOCOL TO THE CONVENTION FOR THE SUPPRESSION
OF UNLAWFUL ACTS AGAINST THE SAFETY OF CIVIL AVIATION,
UNCLASSIFIED

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PAGE 02 ROME 09901 191904Z

SIGNED AT MONTREAL ON 23 SEPTEMBER 1971

THE STATE PARTIES TO THIS PROTOCOL,

CONSIDERING IT DESIRABLE TO SUPPLEMENT THE CONVENTION FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST THE SAFETY OF CIVIL AVIATION SIGNED AT MONTREAL ON 23 SEPTEMBER 1971, HEREINAFTER REFERRED TO AS QTE THE CONVENTION UNQTE.

HAVE AGREED AS FOLLOWS:

ARTICLE I

THE FOLLOWING SUB-PARAGRAPH SHALL BE ADDED TO PARA 1 OF ART 1 OF THE CONVENTION:

QTE (F) PERFORMS AN ACT OF VIOLENCE IN AN AIRPORT SERVING INTERNATIONAL AIR NAVIGATION

(I) AGAINST THE PERSONNEL OF THAT AIRPORT ENTRUSTED WITH THE SAFETY OF AIR NAVIGATION, IF SUCH ACT IS LIKELY TO ENDANGER THE SAFETY OF AIRCRAFT IN FLIGHT; OR

(II) AGAINST PERSONS WHO ARE PASSING THROUGH THE EMBARKATION OR DISEMBARKATION PHASES, IF SUCH ACT IS SERIOUSLY DETRIMENTAL TO INTERNATIONAL CIVIL AVIATION. UNQTE

ARTICLE II

1. THE FOLLOWING NEW PARA 6 SHALL BE INSERTED AFTER PARA 5 IN ART 4 OF THE CONVENTION:

QTE 6. IN THE CASES MENTIONED IN SUB-PARA (F) OF PARA 1 OF ARTICLE 1, THIS CONVENTION SHALL APPLY ONLY IF THE OFFENDER OR ALLEGED OFFENDER IS FOUND IN THE TERRITORY OF A STATE OTHER THAN THAT IN WHICH THE OFFENCE WAS COMMITTED UNQTE.

2. PARA 6 OF ART 4 OF THE CONVENTION SHALL BE RENUMBERED PARA 7 AND REPLACED BY THE FOLLOWING:

QTE 7. THE PROVISIONS OF PARAS 2, 3, 4, 5 AND 6 OF THIS ART SHALL UNCLASSIFIED

UNCLASSIFIED

PAGE 03 ROME 09901 191904Z

ALSO APPLY IN THE CASES CONTEMPLATED IN PARA 2 OF ART 1. UNQTE

ARTICLE III

ART 5, PARA 2 OF THE CONVENTION SHALL BE AMENDED AS FOLLOWS:

QTE 2. EACH CONTRACTING STATE SHALL LIKEWISE TAKE SUCH MEASURES

AS MAY BE NECESSARY TO ESTABLISH ITS JURISDICTION OVER THE OFFENCES MENTIONED IN ART 1, PARA 1(A), (B), (C) AND (F), AND ART 1, PARA 2, IN SO FAR AS THAT PARA RELATES TO THOSE OFFENCES, IN THE CASE WHERE THE ALLEGED OFFENDER IS PRESENT IN ITS TERRITORY AND IT DOES NOT EXTRADITE HIM PURSUANT TO ART 8 TO ANY OF THE STATES MENTIONED IN PARA 1 OF THIS ARTICLE UNQTE.

ARTICLE IV

BETWEEN THE PARTIES TO THIS PROTOCOL, THE CONVENTION AND PROTOCOL SHALL BE READ AND INTERPRETED TOGETHER AS A SINGLE INSTRUMENT AND BE KNOWN AS THE MONTREAL CONVENTION FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST THE SAFETY OF CIVIL AVIATION SIGNED AT MONTREAL ON 23 SEPT 1971 AS AMENDED AT ROME, 1973.

ARTICLE V

1. THIS PROTOCOL SHALL BE OPEN FOR SIGNATURE ON BEHALF OF ANY STATE PARTY TO THE CONVENTION ON 21 SEPT 1973 AT ROME. AFTER 15 OCT 1973 THE PROTOCOL SHALL BE OPEN FOR SIGNATURE TO ALL STATES PARTIES TO THE CONVENTION IN MOSCOW, LONDON AND WASHINGTON. FOLLOWING THE ENTRY INTO FORCE OF THE PROTOCOL IT SHALL BE OPEN FOR ACCESSION BY ANY STATE.

2. ACCESSION TO THIS PROTOCOL BY ANY STATE WHICH IS NOT A PARTY TO THE CONVENTION SHALL MEAN ACCESSION TO THE CONVENTION AS AMENDED BY THIS PROTOCOL.

ARTICLE IV

1. THIS PROTOCOL IS SUBJECT TO RATIFICATION BY THE SIGNATORY STATES. THE INSTRUMENTS OF RATIFICATION SHALL BE DEPOSITED WITH THE DEPOSITARY GOVERNMENTS OF THE CONVENTION.

UNCLASSIFIED

UNCLASSIFIED

PAGE 04 ROME 09901 191904Z

2. THIS PROTOCOL SHALL ENTER INTO FORCE THIRTY DAYS FOLLOWING THE DATE OF DEPOSIT OF INSTRUMENTS OF RATIFICATION BY BRACKET FIVE END BRACKET STATES SIGNATORY TO THIS PROTOCOL. FOR OTHER STATES, IT SHALL ENTER INTO FORCE THIRTY DAYS FOLLOWING THE DATE OF DEPOSIT OF THE INSTRUMENT OF ACCESSION TO THE PROTOCOL.

3. THE DEPOSITARY GOVERNMENTS SHALL PROMPTLY NOTIFY ALL SIGNATORY AND ACCEDING STATES OF THE DATE OF EACH SIGNATURE, THE DATE OF DEPOSIT OF EACH INSTRUMENT OF RATIFICATION OR ACCESSION, THE DATE OF ENTRY INTO FORCE OF THE PROTOCOL, AND OTHER NOTICES.

4. AS SOON AS THIS PROTOCOL COMES INTO FORCE, IT SHALL BE REGISTERED BY THE DEPOSITARY GOVERNMENTS PURSUANT TO ARTICLE

102 OF THE CHARTER OF THE UNITED NATIONS AND PURSUANT TO ARTICLE
83 OF THE CONVENTION OF INTERNATIONAL CIVIL AVIATION (CHICAGO, 1944).

ARTICLE VII

1. ANY CONTRACTING STATE MAY DENOUNCE THE PROTOCOL BY WRITTEN
NOTIFICATION TO THE DEPOSITARY GOVERNMENTS.

2. DENUNCIATION SHALL TAKE EFFECT SIX MONTHS FOLLOWING
THE DATE ON WHICH NOTIFICATION IS RECEIVED BY THE DEPOSITARY
GOVERNMENTS.

3. BETWEEN PARTIES TO THIS PROTOCOL DENUNCIATION OF THE CONVENTION
IN ACCORDANCE WITH ARTICLE 16 OF THE CONVENTION SHALL MEAN
ALSO DENUNCIATION OF THE PROTOCOL.

IN WITNESS WHEREOF, THE UNDERSIGNED PLENIPONTETIARIES, BEING DULY
AUTHORIZED THERETO BY THEIR GOVERNMENTS, HAVE SIGNED THIS PROTOCOL.

DONE AT ROME, THIS TWENTY FIRST DAY OF SEPTEMBER, ONE THOUSAND
NINE HUNDRED AND SEVENTY THREE, IN THREE ORIGINALS, EACH BEING
DRAWN UP IN FOUR AUTHENTIC TEXTS IN THE ENGLISH, FRENCH, RUSSIAN
AND SPANISH LANGUAGES. END TEXT.VOLPE

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NNN

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